

## **RESOLUTION NO. 14-14**

### **A RESOLUTION APPROVING ENTRY INTO MEMORANDUM OF UNDERSTANDING WITH UTAH NATIONAL GUARD TO MEMORIALIZE THE UNDERSTANDINGS, COMMITMENTS, AND OBLIGATIONS BETWEEN BOTH CITIES REGARDING PHYSICAL SECURITY OF THE BROWNING NATIONAL GUARD ARMORY; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SIGN ANY AND ALL NECESSARY DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE**

#### **SECTION I - RECITALS**

WHEREAS, the City of South Ogden (hereinafter "City") is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, the City Council finds that in conformance with the provisions of UCA §10-3-717, the City Council as the governing body of the City may exercise all administrative powers by resolution; and,

WHEREAS, the City Council finds that Utah National Guard has requested that the South Ogden Police Department assisted them in insuring the physical security of the Browning National Guard Armory, located in South Ogden; and,

WHEREAS, the City Council finds that South Utah National Guard, as an agency of the state of Utah, is entitled to this consideration and assistance; and,

WHEREAS, the City Council finds that the understandings, commitments, and obligations between both entities should be spelled out, and has been set out, in a Memorandum of Understanding which is attached hereto; and,

WHEREAS, the City Council finds that it is in the best interest of the city and its residents to enter into such a service agreement

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH OGDEN UTAH THAT:**

The City Council of South Ogden City, State of Utah, hereby authorizes and approves the execution of Memorandum of Understanding between South Utah National Guard and Utah National Guard, as discussed above, and authorizes the City Manager, or his designee, to sign said Agreement (attached hereto as **Attachment "A"**) and by this reference fully incorporated herein; and further authorizes the City Recorder to attest any and all documents necessary to confirm that the City Manager, or his designee, has been duly authorized to execute those documents.

**BE IT FURTHER RESOLVED** that this Resolution shall become effective immediately upon its passage.

## **SECTION II - REPEALER OF CONFLICTING ENACTMENTS:**

All orders and resolutions with respect to the changes herein enacted and adopted which have heretofore been adopted by the City, or parts thereof, which are in conflict with any of the provisions of this Resolution, are, to the extent of such conflict, hereby repealed, except that this repeal shall not be construed to revive any act, order or resolution, or part thereof, heretofore repealed.

## **SECTION III - PRIOR ORDINANCES AND RESOLUTIONS**

The body and substance of any and all prior Resolutions, with their specific provisions, where not otherwise in conflict with this Resolution, are reaffirmed and readopted.

## **SECTION IV - REPEALER OF CONFLICTING ENACTMENTS**

All orders, and Resolutions regarding the changes enacted and adopted which have been adopted by the City, or parts, which are in conflict with this Resolution, are, to the extent of such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part repealed.

## **SECTION V - SAVINGS CLAUSE**

If any provision of this Resolution shall be held or deemed or shall be invalid, inoperative or unenforceable such shall not have the effect of rendering any other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Resolution being deemed the separate independent and severable act of the City Council of South Ogden City.

## **SECTION VI - DATE OF EFFECT**

This Resolution shall be effective on the 6<sup>th</sup> day of May, 2014, and after publication or posting as required by law.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH OGDEN CITY,  
STATE OF UTAH, on this 6<sup>th</sup> day of May, 2014**

**SOUTH OGDEN CITY**

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James F. Minster  
Mayor

**ATTEST:**

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Leesa Kapetanov  
City Recorder

# **ATTACHMENT “A”**

## **RESOLUTION NO. 14-14**

A Resolution Approving Entry Into Memorandum Of Understanding With Utah National Guard To Memorialize The Understandings, Commitments, And Obligations Between Both Cities Regarding Physical Security Of The Browning National Guard Armory; Authorizing The City Manager Or His Designee To Sign Any And All Necessary Documents; And Providing For An Effective Date

06 May 14



Jon M. Huntsman, Jr.  
Governor  
Major General Brian L. Tarbet  
The Adjutant General

# State of Utah

## UTAH NATIONAL GUARD

12953 MINUTEMAN DRIVE  
DRAPER, UTAH 84020-9286  
(801) 432-4400

### MEMORANDUM OF UNDERSTANDING BETWEEN THE UTAH NATIONAL GUARD AND SOUTH OGDEN CITY POLICE DEPARTMENT

SUBJECT: Physical Security of the Browning National Guard Armory

1. Reference. Army Regulation 190-11, Physical Security of Arms, Ammunition and Explosives.
2. Purpose. The purpose of this memorandum of understanding (MOU) is to clarify policy, procedures, and standards, and assign responsibilities necessary to ensure understanding and accord between the Utah National Guard (UTNG) and South Ogden City Police Department (So. Ogden PD) for the effective implementation and application of physical security to safeguard UTNG property.
3. Scope. This MOU outlines the procedures to be utilized in case of a security incident at the Browning National Guard Armory located at 625 East 5300 South, Ogden, Utah 84405-4549, herein after know as the Browning Armory.
4. Understandings, agreements, and support and resource needs.
  - a. Upon receiving an interior alarm signal from the Browning Armory's intrusion detection system (IDS), Mountain Alarm Company will immediately contact the installation's designated point of contact (POC). If the alarm is determined to be a false or nuisance alarm, they will complete the process per Standard Operating Procedures (SOP) and AR 190-11 paragraph 3-6h. If the alarm is determined to be the result of an actual or attempted intrusion, they will immediately contact the So. Ogden PD for assistance.
  - b. Upon receiving a call for assistance, So. Ogden PD agrees to direct an immediate response force. The response force should respond to an activated alarm as soon as possible, but in no case may arrival at the scene exceed 15 minutes (AR 190-11, paragraph 3-6a-b). The responding police Officer will meet the POC at the street address entrance of the armory unless other arrangements are made. The POC will then brief the Officer. The Officer then becomes the Officer-in-Charge of the situation. If the POC fails to appear, or is not at the appointed place, the responding officer will assume the POC is under duress.
  - c. So. Ogden PD understands that the responding Officer may use any measures to secure UTNG property.
  - d. At their sole discretion, So. Ogden PD has the authority to contact any other law enforcement agencies, with which they may have a reciprocal agreement, for assistance.
  - e. In the event an intrusion detection system (IDS) is inoperative at the end of the duty day, all units or activities that store weapons, sensitive items or classified information in the protected facility will relocate those items to another IDS protected facility or post a guard until the IDS is operational again. (AR 190-11, paragraph 4-2e(3)).

SUBJECT: Physical Security of the Browning National Guard Armory

f. Modification of this agreement requires written notification and approval by all parties 60 days in advance.

5. Termination. This understanding will be reviewed at the beginning of every calendar year and remain in effect until canceled by either party, but not to exceed five years from effective date.

6. Effective date. This MOU is effective upon signature by all parties. Amendments will be reviewed and signed by all parties prior to implementation.

7. Points of contact. If the So. Ogden PD needs to contact a representative of the UTNG in responding to any emergency they should call:

- a. Primary: SSG Ryan J. Lewis  
Work #: (801) 476-3804  
Mobile #: (801) 336-3804
- b. Alternate: SSG Meaghan Knight  
Work #: (801) 476-3830  
Mobile #: (801) 907-1663

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Darin Parke  
Chief of Police  
South Ogden City

\_\_\_\_\_  
(Date)

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BRIAN L. TARBET  
Major General  
Adjutant General

\_\_\_\_\_  
(Date)

Approved as to form and content:

Fiscal review:

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State Judge Advocate

\_\_\_\_\_  
USPFO for Utah